IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 993 OF 2005

IN

FIRST APPEAL NO. 980/2004

Mrs. G. Sushi Shashikumar & Ors. ..Appellants.

Versus

New India Assurance Co.Ltd. & Ors. ..Respondents.

Shri S.B. Shetye for the Appellants.

Shri Rajesh Behere for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 15TH JUNE, 2005

P.C. :

. The Appellants are the original Defendants. The Respondents have deposited Rs.4,50,000/- with interest. This civil application is filed by the appellants for permission to withdraw the said amount. There are in all 4 Applicants. The Applicant Nos.2,3 and 4 are minor children. In view of this, the Applicant No.1 cannot be permitted to withdraw the entire amount. She is, however, permitted to withdraw 1/4th of the deposited amount, falling to her share. The rest of the amount will be invested by the Tribunal

in any nationalised bank, initially for a period of three years so as to make interest on the said amount. The interest accrued on that amount can be withdrawn by the applicant for expenses and bringing up the applicant's children. The application is disposed of.

. The Appeal was filed by the New India Assurance Co. Ltd.. There is no Appeal by the other National Insurance Company. Obviously, therefore, there is no stay so far as the order relates to the National Insurance Company.

. Authenticated copy be issued by the office.

15.06.2005 (D.G. DESHPANDE,J.)

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